



ATTORNEY'S DOCKET NUMBER: 2003080-0143 (SK-744-CON9)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Danishefsky <i>et al.</i>	Examiner:	Solola, Taofiq A.
Serial No.:	10/726,386	Art Unit:	1626
Filed:	December 2, 2003		
For:	<i>Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof</i>		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

A Restriction/Election Requirement was mailed from the U.S. Patent and Trademark Office on January 19, 2005 in the above-referenced case. The Restriction/Election Requirement was based on claims 1-58, which had been canceled by a Preliminary Amendment filed on December 2, 2003. Therefore, the Restriction/Election Requirement was not proper because it did not pertain to any pending claims. Applicant submits that an election is not required.

Furthermore, Applicant submits herewith a Preliminary Amendment canceling all pending claims 1-80 and adding new claims 81-95. Applicant submits that the new claims are drawn to one invention, thereby obviating the need for a Restriction/Election Requirement. Applicant requests that examination of this Application based on these new claims be commenced.

Applicant thanks the Examiner for careful consideration of this case. Please charge any fees that may be associated with this matter, or credit any overpayments, to our Deposit Account No. 03-1721.

Respectfully submitted,



C. Hunter Baker, M.D., Ph.D.

Registration No.: 46,533

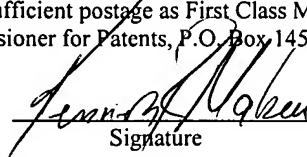
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Date: June 28, 2005

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I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 28, 2005

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Kenneth R. Maben

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